

*Malacañang*  
Manila

BY THE PRESIDENT OF THE PHILIPPINES

ADMINISTRATIVE ORDER NO. 9

CONSIDERING MR. VALENTIN GUMIRAN RESIGNED AND SEPARATED FROM THE SERVICE AS JUSTICE OF THE PEACE OF STO. TOMAS, ISABELA.

Mr. Valentin Gumiran, justice of the peace of Sto. Tomas, Isabela, is charged with dereliction of duty in Administrative Cases Nos. 25 and 30 in connection with his actuations in Criminal Cases Nos. 58 and 102 of his court, respectively. The charge was investigated by the District Judge who, on the strength of the evidence adduced, recommended the forced resignation of the respondent. The Department of Justice agreed with the conclusions of the Investigating Judge and recommended that the respondent be required to resign immediately for gross dereliction of duty.

It appears that the preliminary investigation of Criminal Cases Nos. 58 and 102 for murder and triple homicide through reckless imprudence, respectively, was concluded by the respondent on August 17, 1954, and May 31, 1956. About a year thereafter the complainants and their relatives, not knowing what happened to the cases, made verbal and written inquiries to the respondent as to the status thereof, but they were either ignored or not answered by him. When they inquired from the Clerk of Court and the Provincial Fiscal of Isabela, they were informed that the records of the cases had not been received in the office of either. Because of this state of things, the respondent was cited to appear before the Provincial Fiscal for investigation relative to the missing record of Criminal Case No. 58 and, failing to do so as directed, he was ordered arrested by the Court of First Instance of Isabela.

In his defense the respondent maintains that he sent the originals and copies of the records of Criminal Cases Nos. 58 and 102 to the Court of First Instance and the Provincial Fiscal of Isabela by ordinary mail as neither his office nor that of the municipal treasurer of Sto. Tomas had stamps to send them by registered mail; that in fact he spent ₱0.60 from his personal fund for the purpose; and that he could not handcarry the records to Ilagan for lack of time.

Respondent's explanation does not impress me. Considering the importance of the records and the seriousness of the offenses involved, he should have personally carried the papers to Ilagan, as he used to, when he could not transmit them by registered mail

*Valentin Gumiran, Valentin*

for the reason advanced by him. If he had sent the records to Ilagan by ordinary mail, they would in due course have reached their destination as there was no report of mail pilferage between Sto. Tomas and Ilagan on June 5, 1956, when he allegedly sent them by ordinary mail. Again, he could have shown to the Clerk of Court and the Provincial Fiscal his file copies of the records and of the corresponding letters of transmittal when he was required to answer the administrative charges against him. What is more, he failed to show to the District Judge during the investigation of the charges his supposed office file copy of Criminal Case No. 102.

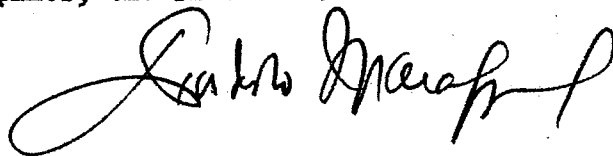
Lastly, as an indication of his utter lack of concern for these cases which gave rise to the present charges, the respondent did not bother to ascertain from the Clerk of Court whether the records of these criminal cases had been received by him even after he had received inquiries from the complainants as to the status of said cases.

From an analysis of the evidence, I agree with the conclusion of the District Judge that the records in question were never forwarded by the respondent to the Court of First Instance nor were copies thereof sent to the Provincial Fiscal as required by standing regulations, in gross dereliction of his duty. This conclusion is bolstered by his fatal contradiction in claiming during the investigation of Administrative Case No. 25 that he sent to the Court of First Instance the record of Criminal Case No. 58 on August 17, 1954, and asserting during the hearing of Administrative Case No. 30 later that he mailed the records of both Criminal Cases Nos. 58 and 102 to the Court on June 5, 1956.

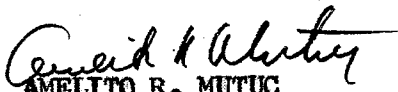
The proven acts and conduct of respondent constitute gross dereliction of duty and betray sheer official irresponsibility on his part for which he does not deserve to remain in the public service wherein only men imbued with a high sense of responsibility and dedicated to their duties should be.

Wherefore, Mr. Valentin Gumiran is hereby considered resigned and separated from the service as justice of the peace of Sto. Tomas, Isabela.

Done in the City of Manila, this 29th day of March, in the year of Our Lord, nineteen hundred and sixty-two, and of the Independence of the Philippines, the sixteenth.



By the President:

  
AMELITO R. MUTUC  
Executive Secretary